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Resolution adopted by the General Assembly on 21 November 2016

[*without reference to a Main Committee (A/71/L.15 and Add.1)*]

71/17. Cooperation between the United Nations and the Council of Europe

The General Assembly,

Recalling the Agreement between the Council of Europe and the Secretariat of the United Nations signed on 15 December 1951 and the Arrangement on Cooperation and Liaison between the Secretariats of the United Nations and the Council of Europe of 19 November 1971,

Recalling also its resolution 44/6 of 17 October 1989, in which it granted the Council of Europe a standing invitation to participate as an observer in its sessions and work, as well as its previous resolutions on cooperation between the United Nations and the Council of Europe,

Acknowledging the contribution of the Council of Europe to the protection and strengthening of human rights and fundamental freedoms, democracy and the rule of law through its standards, principles and monitoring mechanisms, as well as to the effective implementation of relevant international legal instruments of the United Nations,

Acknowledging also the contribution of the Council of Europe to the development of international law, and noting the openness of the Council of Europe to the participation of States of other regions in its legal instruments,

Welcoming the role of the Council of Europe in building a united Europe without dividing lines, and the contribution of the Council of Europe to cohesion, stability and security in Europe,

Commending the increasing contribution of the Council of Europe, including at the parliamentary level, to democratic transition in its neighbouring regions aimed at promoting democratic institutions and procedures, and welcoming the readiness of the Council of Europe to further share its experience in democracy-building with interested countries on the basis of a demand-driven approach,

Welcoming the increasingly close relations between the United Nations and the Council of Europe, and commending the contribution of the Permanent Delegations of the Council of Europe to the United Nations Offices at Geneva and at Vienna to the enhancement of cooperation and the achievement of greater synergy between the United Nations and the Council of Europe,

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Welcoming also the visit of the Secretary-General to the Council of Europe on 23 June 2015,

Taking note with appreciation of the report of the Secretary-General on cooperation between the United Nations and the Council of Europe,[1]

1. *Reiterates its call for* the reinforcement of cooperation between the United Nations and the Council of Europe regarding the protection of human rights and fundamental freedoms, the promotion of democracy and the rule of law and good governance at all levels, inter alia, the prevention of torture and other cruel, inhuman or degrading treatment or punishment, the fight against terrorism, trafficking in human beings and violence against women, the fight against all forms of racism, discrimination, xenophobia and intolerance, the promotion of freedom of expression and freedom of thought, conscience, religion or belief, the protection of the rights and dignity of all members of society without discrimination on any grounds and the promotion of gender equality and empowerment of women and girls, as well as the promotion of human rights education;

2. *Confirms its recognition* of the key role of the European Court of Human Rights in ensuring effective human rights protection under the European Convention for the Protection of Human Rights and Fundamental Freedoms for the 800 million citizens in the 47 States members of the Council of Europe, and notes with interest the efforts to guarantee the long-term effectiveness of the Court system and to ensure the rapid and effective execution of Court judgments, as well as the ongoing work aiming at accession of the European Union to the Convention;

3. *Recognizes* the important role of the Council of Europe in upholding the rule of law and fighting impunity, including by strengthening the capacity of the national judiciaries of its member States to carry out their work consistent with the relevant international obligations of the member States in particular, and where applicable, those defined in the Rome Statute of the International Criminal Court;[2]

4. *Also recognizes* the role of the revised European Social Charter and of the European Committee of Social Rights in protecting economic and social rights, notes in this context the contribution that the Council of Europe can make in ensuring the implementation of the United Nations Convention on the Rights of Persons with Disabilities,[3] and confirms its support for cooperation between the two organizations with respect to the eradication of poverty, the protection and promotion of the rights and dignity of persons with disabilities, including persons with disabilities in sport, strengthening social cohesion and intergenerational solidarity and ensuring the protection of economic, social and cultural rights for all;

5. *Notes* the effective implementation of the joint declaration on the reinforcement of cooperation between the secretariat of the Council of Europe and the Office of the United Nations High Commissioner for Human Rights, and in this respect encourages further cooperation between the United Nations, including the Human Rights Council, its special procedures, the Office of the High Commissioner and the human rights treaty bodies, and the Council of Europe, along with its Commissioner for Human Rights, with regard to promoting and ensuring respect for human rights and the role of human rights defenders;

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[1] See A/71/160-S/2016/621, sect. II.

[2] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[3] Ibid., vol. 2515, No. 44910.

6. *Notes with appreciation* the contribution of the Council of Europe to the enhancement of cooperation between international and regional mechanisms for the promotion and protection of human rights, and in this context welcomes, in particular, the contribution of the Council of Europe to the universal periodic review regarding the situation of human rights in States members of the Council of Europe, and the adoption of a declaration supporting the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[4] as well as the adoption of the recommendation on human rights and business by the Council of Europe on 2 March 2016;

7. *Encourages* further cooperation, where appropriate, between the United Nations and the Council of Europe through their mechanisms on the prevention of torture and other cruel, inhuman or degrading treatment or punishment, takes note of the participation by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in the revision of the Standard Minimum Rules for the Treatment of Prisoners,[5] and supports the further development of cooperation in the penitentiary field with regard to combating prison overcrowding;

8. *Encourages* the Council of Europe to continue cooperation with the United Nations in the fight against trafficking in persons, recalls that the Council of Europe Convention on Action against Trafficking in Human Beings is open for accession by all States, and notes with interest the results of the monitoring activities carried out by the Group of Experts on Action against Trafficking in Human Beings and by the Committee of the Parties to the Convention;

9. *Notes with appreciation* the Council of Europe Convention against Trafficking in Human Organs, as a follow-up to the joint Council of Europe/United Nations study on trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs, encourages further cooperation in this field, and recalls in this respect that the Convention against Trafficking in Human Organs is open for accession by all States;

10. *Welcomes and encourages* the enhancing of the close collaboration between the United Nations Children's Fund, the Special Representative of the Secretary-General on Violence against Children, the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography, the Office of the United Nations High Commissioner for Human Rights, the Committee on the Rights of the Child and the Council of Europe to protect and promote the rights of the child, takes note of the Council of Europe Strategy for the Rights of the Child (2016–2021), launched in Sofia, promoting the implementation of the Convention on the Rights of the Child[6] in its member States, and recalls in this context that the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse is open for accession by all States;

11. *Welcomes* the reinforced action of the Council of Europe to promote the social inclusion and respect for human rights of the Roma, and encourages further cooperation between the United Nations and the Council of Europe in this field;

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[4] A/HRC/17/31, annex.

[5] The revised rules were adopted by the General Assembly in its resolution 70/175 as the United Nations Standard Minimum Rules on the Treatment of Prisoners (the Nelson Mandela Rules).

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

12. *Also welcomes* the regular and active contribution of the Council of Europe to the sessions of the Commission on the Status of Women and the agreed and specified cooperation between the Council of Europe and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), which includes support to member States, upon their request, in implementing commitments on gender equality and women's human rights, in particular access to justice and women's political participation, and the promotion of the Council of Europe Gender Equality Strategy 2014–2017, takes note of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which is open for accession by all States, in this context encourages the above-mentioned bodies to continue to develop a fruitful collaboration in eliminating violence against women, including with the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences, and the achievement of de facto gender equality, and recognizes the important contribution of the Convention in eradicating this scourge;

13. *Encourages* continuing cooperation between the Office of the United Nations High Commissioner for Refugees and the Council of Europe, including the Council of Europe Development Bank, in particular in the protection and promotion of human rights and fundamental freedoms of refugees, asylum seekers and internally displaced persons, as enshrined in the European Convention on Human Rights, and in the prevention and reduction of statelessness, welcomes, in the context of the ongoing large movements of refugees and migrants, the adoption of the New York Declaration for Refugees and Migrants[7] and encourages activities identifying durable solutions for refugees, including facilitating integration through education and the creation of employment opportunities, takes note of the nomination of a Special Representative of the Secretary-General of the Council of Europe for migration and refugees, and recognizes the importance of the interface offered by the presence at the Council of Europe of the United Nations High Commissioner for Refugees Representation to the European Institutions in Strasbourg, as well as by the Permanent Delegation of the Council of Europe to the United Nations Office at Geneva;

14. *Recognizes and encourages* the continuing close liaison and fruitful cooperation between United Nations missions and the Council of Europe offices in the field;

15. *Encourages* further cooperation between the United Nations and the Council of Europe in the area of democracy and good governance, including through active participation in the Strasbourg World Forum for Democracy and engagement with youth representatives and civil society, as appropriate, and the strengthening of the links between the World Programme for Human Rights Education and the Council of Europe project on Education for Democratic Citizenship and Human Rights, and in this context welcomes the contribution to the activities of the International Contact Group on citizenship and human rights education;

16. *Notes* the important role of the United Nations Development Programme and the Council of Europe in supporting good local democratic governance, as well as the fruitful cooperation between them, encourages further deepening of the cooperation following the signature in February 2010 of the memorandum of

[7] Resolution 71/1.

understanding between the United Nations Development Programme Regional Bureau for Europe, the Commonwealth of Independent States and the Council of Europe in this field, and calls for enhanced cooperation between the Council of Europe and the United Nations Human Settlements Programme (UN-Habitat) in the field of sustainable urban governance;

17. *Also notes* the contribution of the Council of Europe in protecting and promoting all human rights and fundamental freedoms, including the right to freedom of expression and opinion and the freedom of the media, encourages further cooperation between the Council of Europe and the United Nations in this regard, in particular with regard to the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, and in this context further notes the setting-up by the Council of Europe of a platform to promote the protection of journalism and the safety of journalists;

18. *Reaffirms* that, as the information society and the Internet develop, freedom of expression, as well as the right to privacy, as set out in article 17 of the International Covenant on Civil and Political Rights,[*] must be protected and respected, including as they relate to data protection, while recognizing lawful restrictions as set out in national legislation in accordance with international human rights law, acknowledges the importance of the work of the Council of Europe in protecting those rights, welcomes and encourages the cooperation between relevant United Nations agencies and special procedures of the Human Rights Council, including the Special Rapporteur on the right to privacy, and the Council of Europe, most notably with regard to the follow-up to General Assembly resolution 70/125 of 16 December 2015 on the overall review of the implementation of the outcomes of the World Summit on the Information Society, in particular in promoting greater multi-stakeholder participation and engagement in dialogue on Internet governance at the global, regional and national levels, takes note of the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, which is open for accession by all States, and recalls Assembly resolution 69/166 of 18 December 2014;

19. *Welcomes and encourages* the close cooperation between the two organizations in the fight against transnational organized crime, cybercrime, terrorism and money-laundering, as well as in the protection of the rights of victims of such crimes, and recalls that the Council of Europe Convention on Cybercrime and the Additional Protocol thereto, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems, and the Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health, as well as several other relevant Council of Europe conventions, are open for accession by all States;

20. *Welcomes and supports* the cooperation between the respective mechanisms concerning the prevention of and the fight against corruption, notably by reviewing and mutually reinforcing the implementation of international anti-corruption standards, and notes the Council of Europe conference entitled "Strengthening judicial independence and impartiality as a precondition for the rule of law in Council of Europe member States", held in Sofia on 21 and 22 April 2016, and the action plan adopted at the conference;

[*] See resolution 2200 A (XXI), annex.

21. *Welcomes* the commitment of the Council of Europe to the promotion of the implementation of the United Nations Global Counter-Terrorism Strategy[9] and the collaboration between their respective mechanisms regarding the fight against terrorism, including the financing of terrorism, in full respect of human rights and the rule of law, acknowledges the contribution of the Council of Europe to the implementation of Security Council resolution 2178 (2014) of 24 September 2014 on threats to international peace and security caused by terrorist acts through the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, and recalls that the Council of Europe Convention on the Prevention of Terrorism, including its Additional Protocol, and the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism are open for accession by all States;

22. *Also welcomes* the continued cooperation of the Council of Europe, where appropriate and in accordance with international drug control conventions, with the United Nations Office on Drugs and Crime and the International Narcotics Control Board in the fight against drug abuse and drug trafficking, and notes the role played by the Pompidou Group in this regard;

23. *Further welcomes* the contribution of the Council of Europe to the Sixth Committee of the General Assembly and the International Law Commission;

24. *Notes* the cooperation established between the Alliance of Civilizations and the Council of Europe following their signature of a memorandum of understanding on 29 September 2008 and the accession of the Alliance of Civilizations to the Faro Platform, encourages the United Nations Educational, Scientific and Cultural Organization and the Alliance of Civilizations on the one hand, and the Council of Europe and its North-South Centre on the other, to pursue their developing and fruitful collaboration in the field of intercultural dialogue, and takes note of the adoption of guidelines on the protection and promotion of human rights in culturally diverse societies by the Council of Europe in 2016;

25. *Also notes* the cooperation between the Council of Europe and the United Nations Educational, Scientific and Cultural Organization in the field of education, and encourages the extension of this cooperation, which should continue to focus on the role of education in developing just and humane societies characterized by the participation of individuals and the ability of individuals and societies to conduct intercultural dialogue, as well as on the encouragement of the diversity of cultural expressions;

26. *Welcomes* the cooperation between the Council of Europe, the Office of the Secretary-General's Envoy on Youth, the United Nations Educational, Scientific and Cultural Organization and the United Nations Development Programme on the organization of the first Global Forum on Youth Policies, which took place in Azerbaijan in October 2014, and encourages those organizations to continue their cooperation to promote and implement the Baku Commitment to Youth Policies as a contribution to the implementation of the World Programme of Action for Youth;[10]

27. *Notes* the Council of Europe "No Hate Speech" movement, launched as a youth campaign against hate speech and for human rights online, and encourages the United Nations Educational, Scientific and Cultural Organization to continue its cooperation with the Council of Europe on this theme;

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[9] Resolution 60/288.

[10] Resolution 50/81, annex, and resolution 62/126, annex.

28. *Invites* the Secretaries-General of the United Nations and the Council of Europe to combine their efforts in seeking answers to global challenges, within their respective mandates, including, in particular, in relation to the 2030 Agenda for Sustainable Development,[1] and calls upon all relevant United Nations bodies to support the enhancement of cooperation with the Council of Europe, as set out in relevant resolutions;

29. *Decides* to include in the provisional agenda of its seventy-third session, under the item entitled "Cooperation between the United Nations and regional and other organizations", the sub-item entitled "Cooperation between the United Nations and the Council of Europe", and requests the Secretary-General to submit to the General Assembly at its seventy-third session a report on cooperation between the United Nations and the Council of Europe in the implementation of the present resolution.

48th plenary meeting
21 November 2016

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[1] Resolution 70/1.